

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 24 July 2018 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Janet Coles (Deputy-Chair), Sammy Choudhury, Paul Metcalfe, Md. Harun Miah, Margaret Robinson, Barry Taylor and Penny di Cara (Reserve) (as substitute for Colin Murdoch)

Officers in attendance:

Leigh Palmer, Senior Specialist Advisor for Planning
Anna Clare, Specialist Advisor for Planning
Joanne Stone, Lawyer

Also in attendance:

Katie Maxwell, Committee Officer

22 Minutes of the meeting held on 26 June 2018.

The minutes of the meeting held on 26 June 2018 were submitted and approved and the Chair was authorised to sign them as an accurate record.

23 Apologies for absence.

An apology for absence was reported from Councillor Murdoch.

24 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Taylor declared an interest in minute 25 land off Brede close and minute 28 Land adjacent to 38 Timberley Road, as he had raised concerns at a previous Council meeting regarding Council policy for loss of parking for residents as a result of the redevelopment of Council owned garages. He felt that this had predetermined his decision of future applications of this nature. Councillor Taylor withdrew from the room whilst the applications were considered and did not vote thereon.

25 Land off Brede Close. Application ID: 180438.

Demolition of existing garages, and construction of 6no new dwellings, 1no. 1 bed 2 persons, 5no. of 2 bed 4 person houses; including associated parking, access, & landscaping. Amended plans submitted to provide improved access to proposed garages by moving the proposed development 1.4m further into the site – **DEVONSHIRE**.

The Chair advised the committee that there had been some confusion regarding letters of notification to speak at committee for the residents of Brede Close. He proposed that this application be deferred to afford the residents the opportunity to address the committee on this application at a future meeting.

RESOLVED: (Unanimous) That the application be deferred to afford the residents the opportunity to address the committee on this application at a future meeting.

26 Hampden Retail Park, Marshall Road. Application ID: 180423.

Erection of three new retail units comprising; one attached Use Class A1 unit and two detached A1/A3 units (including a drive-thru); external refurbishment of the existing retail units; reconfiguration of the existing car park and access, and associated works – **HAMPDEN PARK**.

The committee was advised by way of an addendum report that a supplementary highway report had been provided looking at a number of issues including trip generation. In response to this additional documentation County Highways supported the proposal subject to conditions.

RESOLVED (A): (Unanimous) That subject to a S106. legal agreement covering:

- a. Local Employment Issues
- b. Highway Issues;
- c. The creation of the access, re-instating of the footway and dropped crossing points should be secured by condition and a s278 agreement.
- d. Provision of signage from the site to the Station and bus stops
- e. Provision of Real Time Passenger Information (RTPI) to provide better, more reliable information about bus services. To provide a RTPI sign would require a contribution of approximately £15,000.00.
- f. Highway improvement works;
- g. Widening the Marshall Road two-lane approach; and
- h. Widening the entry width of the Lottbridge Drove (North) arm.
- i. Travel Plan surveys and monitoring reports should be secured through an s106 agreement.

Then planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

2. The development hereby permitted shall be carried out in accordance with the approved drawings;

- 4158-155 Tree Plan
- 4158-301 Rev P Proposed Site Plan
- 4158-306 proposed Elevations
- 4158-307 Unit 6 Proposed Elevations
- 4158-308 Shopfront Details
- G22765 0101 Rev P1 Proposed Drainage Layout

3. No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of that part of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (April 2018) and the following mitigation measures details within the FRA:

- a. All occupants will sign up to the Flood Warning Service, as stated in FRA sections 6.1 and 7.
- b. A flood preparation and evacuation plan is drawn up, as recommended in FRA Sections 6.2 and 7, for identification and provision of a safe route into and out of the site to an appropriate safe haven.
- c. Flood resilience and resistance measures are incorporated into the design, as advised in Section 6.3 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

5. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- b. location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - i. permeable paving
 - ii. tree pit design
 - iii. underground modular systems
 - iv. Sustainable urban drainage integration
 - v. use within tree Root Protection Areas (RPAs);
- c. a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- d. specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- e. types and dimensions of all boundary treatments

6. All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s)

severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

7. The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

8. No part of the development shall be occupied/brought into use until the car parking has been constructed and provided in accordance with the approved drawing 4158 301 Rev P. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicle.

9. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved drawing 4158 301 Rev P. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

10. Development shall not commence until a Construction Traffic Management Plan has been submitted and agreed, and the approved Plan shall be implemented and adhered to in full throughout the entire construction period, the Construction Traffic Management Plan must include but not be limited to, tracking of construction vehicles for each phase of development (if phased), details of hoardings/welfare areas, and pedestrian re-routing required during construction.

11. The vehicle electric charging point shown on approved drawing 4158 301 Rev P shall be installed and made available for use prior to the first occupation of the new units and thereafter shall be retained in perpetuity.

12. No part of the new buildings shall be occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing (Ref: 4158-301-M).

13. No part of the new buildings shall be occupied until such time as the existing vehicular access onto Marshall Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

14. No part of the new buildings shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

15. The access shall have maximum gradients of 4% (1 in 25) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

16. No part of the new buildings shall be first occupied until visibility splays of 2.4metres by 43 metres have been provided at the proposed site vehicular access onto Marshall Road in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

17. No part of the new buildings shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

18. The external works to the existing buildings shall only be undertaken in one building operation.

Informative:

1. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property.

2. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

3. A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk". Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructure-charges>

RESOLVED (B) (Unanimous): That should there be a delay in processing of the S106 agreement (more than 8 weeks from the date of this resolution and without any commitment to extend the time) then the application be refused for the lack of infrastructure provision.

27 Hampden Retail Park Advertisement, Marshall Road. Application ID: 180480.

One internally illuminated totem sign – **HAMPDEN PARK**.

RESOLVED: (Unanimous) That permission be granted subject to a s.106 legal agreement covering Highways and Local Labour provisions and the following conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:

a. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

b. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or;

c. Hinder the operation of any device used for the purpose of security or surveillance or for the measuring of speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The development hereby permitted shall be carried out in accordance with the approved drawings 4158-151E.

28 Land adjacent to 38 Timberley Road, Timberley Road. Application: 180441.

Demolition of existing garages, and construction of 4no 2 bed 4 person houses; including associated parking, access, & landscaping - **RATTON.**

The committee was advised by way of an addendum report that an additional objection had been received covering the following points:

- Access onto Timberley Road was difficult with cars parked on the road
- Restriction of views from properties boundaries onto Timberley Road
- Loss of privacy to back gardens
- Overlooking
- Access was required to back garden
- Damage from construction vehicles
- Damage to underground drainage

Mrs Browne addressed the committee in objection stating her concerns regarding highways safety, parking, refuse collection and loss of privacy.

Councillor Belsey, Ward Councillor, addressed the committee in objection stating that the proposal was an overdevelopment and that the scheme would exacerbate parking issues for the surrounding residents.

RESOLVED: (By 4 votes to 3) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings;
17-076 0007 P04
17-076 0008 P03
3. The external finishes of the development hereby permitted shall be as stated on the approved drawings unless agreed otherwise in writing by the Local Planning Authority.

-
4. Prior to the commencement of development details of the finished floor level of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority.
 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling houses, and no outbuildings shall be erected within the curtilage of the dwellings other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.
 6. Prior to the commencement of the development details of foul and surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority.
 7. Of the 9 parking spaces hereby approved a maximum of one parking space per dwelling shall be allocated, the rest shall remain unallocated for additional vehicles/visitors.
 8. That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank Holidays unless previously been agreed in writing by the Local Planning Authority.
 9. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved drawing 17-076 0007 P04 Proposed Site Plan
 10. The access shall have maximum gradients of 4% (1 in 25) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.
 11. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
 12. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
 13. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and egress and routeing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,

- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- details of site welfare structures

14. Notwithstanding the details shown on the plans hereby approved all dwellings shall be fitted with a 'sprinkler system' prior to the first occupation and this facility shall remain maintained and functional for the life of the development.

29 Meads Hollow, 15 Upper Carlisle Road. Application ID: 180362.

Proposed Erection of a detached 5 bedroom dwelling with a detached double garage – **MEADS**.

The committee felt that the tree screening would not be sufficient to protect the privacy of the neighbouring property from the windows serving the stairwell within the western elevation of the proposed dwelling and requested the inclusion of obscure glass by way of condition.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

2. The proposed development shall be carried out in strict accordance with the following plans:

2018-16-02 – Proposed Ground and First Floor Plans

2018-16-03a - Proposed Second Floor and Roof Plans

2018-16-04 – Proposed Elevations

2018-16-05 – Patio Plan & Site Section

2018-16-06a – Patio Rear Sectional Elevation & Side Elevation

2018-16-07 – Wheel Wash Area Plan

2018-16-08 - Hard Surface Finishes

2018-16-09 - Existing and Proposed Block Plans

2018-16-10 – Proposed Foul Drainage

2018-16-11 – Service Intake & Tree Protection Plan

2018-16-12 – Proposed Street Scene Elevation

2018-16-13a – Site Layout and Section

2018-16-14 – Landscaping Plan

2018-16-15 – Existing and Proposed Front Boundary

2018-16-31 – Proposed Garage Plan & Elevations

3. The external facing materials shall be as submitted within the approved Materials Schedule unless agreed otherwise in writing by the Local Planning Authority;

- Roof Tile: Forna Especial Spanish Natural Slate
- Windows and Doors: Aluminium Framed double glazed Grey (RAL 7016)
- External Walls: Smooth Render (Grey)
- Eaves and Rainwater: Upvc Graphite Coloured

4. No demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays.

5. No works shall commence on site until the two street trees in Upper Carlisle Road either side of the proposed access are protected with timber hoarding and chestnut pale fencing in accordance with approved drawing 2018-16-11. Such hoarding shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of soils, goods, fuels or chemicals or other material shall take place inside the fenced area.

6. All existing trees and shrubs (including the street trees) not scheduled for removal shall be fully safeguarded during the course of the site works and building operations in accordance with the local planning authorities Supplementary Planning Guidance and relevant British Standards (BS 5837: 2012). No work shall commence on site until all trees and shrubs to be protected are fenced with 2.4m minimum height heavy-duty hoardings securely mounted on scaffold poles, and the temporary chestnut paling is installed in accordance with approved drawing 2018-16-11. Such fencing shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

7. No bonfires or burning of materials shall take place anywhere on the site.

8. The landscaping shown on approved drawing 2018-16-14 shall be implemented in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved drawing 2018-16-11.

10. The development shall not be occupied until the obscure glass screen to the rear patio has been implemented in accordance with drawing 2016-16-05. The screen shall be permanently retained thereafter.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no buildings, structures, hard surfaces, walls or fences of any kind shall be erected within the curtilage of the approved dwelling, between its flank wall and the boundary with 19 Upper Carlisle Road or within 9m of any of the preserved trees without the prior approval in writing of the Local Planning Authority.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

13. No part of the first flat roof at the rear of the dwelling hereby permitted shall be used as a balcony, nor shall the railings enclosing it be raised or any first floor windows altered to form doors.

14. No works or development shall commence until the new vehicular access has been provided in the position shown on the approved plan and the existing pedestrian access has been blocked up in matching brickwork.

15. No development shall take place until vehicle wheel washing equipment has been provided within the site in accordance with drawing 2018-16-07 Wheel Washing Area Plan. The equipment shall be retained for the duration of the construction in accordance with the approved details to prevent contamination and damage to the adjacent roads.

16. No above ground build shall take place until details of a surface water drainage scheme have been submitted to and agreed in writing by the local planning authority. The surface water drainage scheme should be supported by an assessment of the site's potential for disposing of surface water by means of a sustainable drainage system and be carried out or supervised by, an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.

17. Following completion of the works a statement by an accredited person, someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM), confirming that the suds scheme approved under condition 16 has been fully implemented shall be submitted to the Local Planning Authority.

18. No changes in soil levels shall occur within the root protection area of all trees indicated as retained.

19. Notwithstanding the approved drawings, prior to the occupation of the dwelling hereby approved details of obscure glazing to the windows within the side elevation (west) serving the stairs shall be submitted to and approved by

the local planning authority and thereafter the development shall be carried out in accordance with the approved details and retained as such thereafter.

30 Summary of local Employment Initiatives created with the development of Eastbourne College.

The committee considered the report of the Senior Specialist Advisor for Planning, which provided a summary of performance in relation to Eastbourne College Project 150 and the Unilateral undertaking local labour agreement.

- Due to award of contract, sub-contractor, Hannafinn employees who lived out of the area signed to a six month let on a house in Sovereign Harbour
- VINCI executive stayed at View Hotel, regularly and other non-local sub-contracting personnel stayed in local hotels
- VINCI company cars serviced at local garages
- Building materials purchased from Parkers Building Supplier and sundry items from Screwfix
- Eastbourne College used a local East Sussex company, Identity, to provide site hoarding and promotional literature
- Second Considerate Constructor report had an improved score (40/50)
- Site Manager awarded Performance Beyond Compliance Certificate.

Members noted that the apprentice and NVQ completion and work experience targets were not achieved. The fall in local unemployment, particularly those aged under 24 years and the introduction of the apprenticeship levy in April 2017 impacted on recruitment. Fewer apprenticeship starts therefore impacted the NVQ starts. Health and safety, insurance and Construction Skills Certification Scheme (CSCS) compliance made it difficult to offer work experience placements on construction sites.

In summary a good working relationship was established between VINCI Construction UK Limited and the Council. VINCI were keen to meet and where possible exceed their local labour obligations. There were constraints due to the nature of the construction industry and falls in local employment, however, opportunities to support local labour and the economy remained a priority during the build.

NOTED.

31 Appeal Decision - 29 Chaffinch Road.

The Inspector dismissed the appeal.

32 South Downs National Park Authority Planning Applications.

There were none.

The meeting ended at 7.02 pm

Councillor Jim Murray (Chair)